OLI O 1 SOUS SEE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Henriette GOURDEAU et al.

Serial No.: 10/046,289

Group Art Unit: 1614

Filed: January 16, 2002

Examiner: J. D. Goldberg

For: METHODS OF TREATING LEUKEMIA

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

. į . ·

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

	Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:						
		within three months of the filing date of a national application other than a CPA under § 1.53(d);					
		within three months of the actual filing date of the national phase of a PCT application; OR					
		before the mailing of a first substantive office action (including after filing of ar RCE).					
\boxtimes		.R. § 1.97(c), this information disclosure statement is filed after the periods 7 C.F.R. § 1.97(b), but before the mailing date of:					
	\boxtimes	a final rejection under 37 C.F.R. 1.113;					
		termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR					
		a notice of allowance under 37 C.F.R. § 1.311; and					

DOCKET NO. PHARMA-100 D1

10/10/2003 AADOF01 00000039 10046289

01 FC:1806

180.00 OP

		is accompanied by:					
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR				
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).				
\boxtimes			37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing the following actions which have not been withdrawn:				
		\boxtimes	a final action under 37 C.F.R. § 1.113;				
			termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR				
			a notice of allowance under 37 C.F.R. § 1.311;				
	AND i	is filed	on or before payment of the issue fee; AND is accompanied by:				
		\boxtimes	the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).				
<u>Staten</u>	nents Ui	nder 37	C.F.R. 1.97(e)				
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or				
·			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.				
Cited]	Materia	<u>ls</u>					
	\boxtimes	Copies of materials listed but not attached were cited in benefit (35 U.S.C ancestor application Serial No. 09/536,459, on Form 892 by the Examine Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).					
		-	s of materials listed but not attached were cited in an international search dated				
		Copies	s of the materials listed are attached (except for the foregoing).				

<u> 19011-1</u>	engnsn i	Languag	e References				
		An English-language search report or equivalent paper from a foreign particle office is provided indicating the relevance of the cited reference(s). A foreign-language search report from a foreign patent office is provided, pertinent parts are translated substantively below:					
		X = Y = A =	document of particular relevance when it is taken alone document of particular relevance when it is combined with another such document defining the general state of the art				
		O =	non-written disclosure				
		P =	intercalated document				
		T =	document cited to understand the theory or principle underlying the				
invention E = patent document which has the benefit of a date earlier than the and which was published only on or after this filing date							
		D =	cited in the application				
		L=	cited for another reason				
		& =	publication of member of same patent family				
		Transla	ation of other relevant information on foreign search report				
<u>Other</u>	Informa	<u>ıtion</u>					
<u>Paym</u>	ent of Fe	es Due	(If Any):				
\boxtimes	A chec	ck for \$ <u>1</u>	80.00 covering the fee identified above is attached.				
	Please	charge 1	to Deposit Account No. 13-3402 \$ for the fee identified above.				

 \boxtimes The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Brion P. Heaney, Reg. No. 32,542 Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C. Arlington Courthouse Plaza l 2200 Clarendon Blvd. Suite 1400 Arlington, Virginia 22201 Telephone: (703) 243-6333

Facsimile: (703) 243-6410

Attorney Docket No.: PHARMA 100 D1

Date: October 7, 2003

BPH/rrt

type a plus sign (+) inside this box -> +

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Substitute for form 1449A/PTO

Complete if Known					
Application Number	10/046,289				
Filing Date	January 16, 2002				
First Named Inventor	Henriette Gourdeau				
Group Art Unit	1614				
Examiner Name	Jerome D. Goldberg				
Attorney Docket Number	PHARMA-100 D1	J			

			U.S. PATENT DOCUM	MENTS	
Examiner Initials *	Cite No.1	U.S. Patent Document Number Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	5,817,667		6-10-1998	
	2	5,684,164		11-04-1997	
	3	5,047,407	: :	9-10-1991	
	4	5,041,449		8-20-1991	
	5	5,270,315	-	12-14-1993	7-
	6	6,350,753	Belleau et al.	2-26-2002	MEC.
					CEIVE
					00.
			·		06/1/2
			۸.		Tra 2003
			0.00		TECH CENT
			•		LIVIER 1000
			* * *		1000/20/
					.700
			:		·.

			F	DREIG	N PATENT I	DOCU	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document Office Number Kind Code (if known)		Name of Patentee or Applicant of Cited Document		Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆	
	7	PCT	WO 96 7413		••		3/14/1996		1
	8	EP	0 337 713				10/18/1989		2
	9	EP	0 382 526				8/16/1990		3
					:				
Examiner Signature						Date Consid	ered		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark hee if English language Translation is attached.